

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

IN RE: PALMAZ SCIENTIFIC INC.;
and ABPS VENTURE ONE, LTD.;

Debtors.

CIVIL ACTION NO. SA-18-CA-612-FB

ADMIRAL INSURANCE COMPANY,

Plaintiff/Appellee,

V.

MILO H. SENGGER,

Defendant/Appellant.

ORDER OF DISMISSAL AND JUDGMENT

This case was consolidated with Civil Action No. SA-18-CA-606-FB and administratively closed on June 29, 2018. On September 20, 2018, the Court considered the Insurers' Withdrawal of Motion for Leave to Appeal June 4, 2018 Memorandum, Opinion and Order Denying Motion to Dismiss filed in the lead case, (SA-18-CA-606-FB, docket no. 13), which the Court construed as a motion to withdraw the Insurers' motion for leave to appeal the Bankruptcy Court's June 4, 2018 Memorandum, Opinion and Order Denying Motion to Dismiss. The Insurers, including appellant/Admiral Insurance Company, represented that the parties in the underlying matter have amicably resolved their dispute. Because intervention by this Court is no longer necessary, and after careful consideration, the Court was of the opinion that the motion should be granted and the lead case should be dismissed. Accordingly, an Order of Dismissal and Judgment was signed this date in Civil

Action No. SA-18-CA-606-FB. For purposes of continuity, the Court is of the opinion that the same Order of Dismissal and Judgment should enter in this case.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that the Order of Consolidation and Administrative Closure (docket no. 4) entered in this matter is LIFTED and this case is placed back on the Court's active docket for the limited purpose of entering this Order of Dismissal and Judgment.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Insurers' Motion for Leave to Withdraw (SA-18-CA-606-FB, docket no. 13) is applied to this case and GRANTED such that Admiral's Joinder of Motion for Leave to Appeal June 4, 2018 Memorandum, Opinion and Order Denying Motion to Dismiss (docket no. 1 at Exhibit no. 2) is WITHDRAWN.

IT IS FURTHER ORDERED, ADJUDGED and DECREED that the above-styled and numbered cause is DISMISSED. Motions pending with the Court, if any, are Dismissed as Moot and this case is CLOSED.

It is so ORDERED.

SIGNED this 20th day of September, 2018.


FRED BIERY
UNITED STATES DISTRICT JUDGE